

ARGUMENT

Claims 31-76 remain in the application. Only independent Claims 31, 50, 54, 55, 59 and 76 have been amended.

The Examiner has rejected Claims 31-76 under 35 U.S.C. 102(a) as being anticipated by Frederick (USP 6,788,997). Applicant traverses this rejection on the grounds that the reference does not teach each and every limitation of the amended claims.

Frederick teaches a standard filing cabinet with drawers 620 therein that slide on guides 574 carried by brackets 566. The system is disposed to detect when a drawer is opened. The Examiner has taken an expansive reading of the reference in equating (i) the filing cabinet drawers with the “trackable objects” of applicant’s claims, (ii) the brackets with the “sockets” of applicant’s claims and (iii) the opening/closing of a drawer with the removal of a trackable object from the storage unit.

Claim 1 has been amended to clarify that the storage unit is **enclosed** and that the receptacles into which trackable objects can be seated are not only **fixed**, but also **inside** the storage unit. And that the trackable objects can be removed from a receptacle **without opening** the storage unit to access the internal space in which the receptacles are fixed. In contrast, the filing cabinet drawer of the reference forms a part of the storage cabinet itself. Thus, the drawer cannot be opened without opening the storage cabinet and hence, the object cannot be “removed” from the unit without opening the filing cabinet (Applicant further asserts that “removal” as defined by applicant means complete extraction of trackable object from a slot, wherein the meaning of “removal” under the Examiner’s interpretation is a simple opening of the filing cabinet drawer, which would more

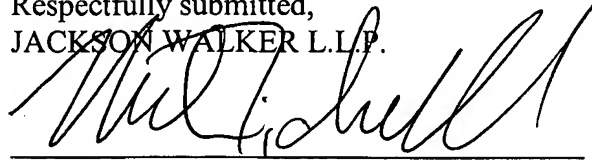
appropriately be equated as “partial” removal.) The claim as amended clarifies the relationship of the physical elements of the invention and distinguishes the claim elements over the reference.

In Claims 50, 54, 55, 59 and 76, the claims have been amended to clarify that the trackable object **is not mounted or otherwise attached** to or within the storage unit. Clearly, the filing cabinet drawer is attached to the filing cabinet because it is slidingly mounted in the guides 574. The reference does not teach or suggest tracking complete removal of the drawer from the filing cabinet. In contrast, the trackable objects of the instant application is something that is **completely removed** from the storage unit, i.e., completely separated or detached from the storage unit as part of the systems overall functionality. To the extent a drawer remains mounted on a guide (which it always is), the drawer is not completely removed from its socket but is at best only “partially removed.” In this regard, even the unamended claims are distinguishable based on the meaning of “removal” or “removably insertable” as taught by Applicant.

While the Applicant believes that equating the functionality of a filing cabinet with a system for tracking the removal and storage of objects in a secure container is equivalent in structure or function, the amendments to the claims further clarify and distinguish the applicant’s system from the cited reference. For this reason, the Examiner is respectfully requested to withdraw the refusal and pass the claims to allowance.

If the Examiner feels that a telephone conference with the undersigned would be helpful to the allowance of this application, a telephone conference is respectfully requested.

Respectfully submitted,
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CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited on the date shown below with the United States Postal Service, with sufficient postage as First Class Mail (37 CFR 1.8(a)), in an envelope addressed to Mail Stop Response/NO FEE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA, 22313-1450.

Date: April 6, 2006


Renee Treider